

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

PACIFICORP,

Civil No. 10-99-PK

Plaintiff,

O R D E R

v.

**NORTHWEST PIPELINE GP, and
GAS TRANSMISSION NORTHWEST
CORPORATION,**

Defendant.

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KING, Judge:

The Honorable Paul Papak, United States Magistrate Judge, filed Findings and Recommendation on June 23, 2010. Defendant Gas Transmission Northwest filed timely objections to the Findings and Recommendation.

When either party objects to any portion of a magistrate's Findings and Recommendation concerning a dispositive motion or prisoner petition, the district court must make a de novo determination of that portion of the magistrate's report. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982). This court has, therefore, given de novo review of the rulings of Magistrate Judge Papak.

This court ADOPTS the Findings and Recommendation of Magistrate Judge Papak dated June 23, 2010 in its entirety.

IT IS HEREBY ORDERED that PacifiCorp's Motion to Remand (#18) is denied; Gas Transmission's Motion for Reconsideration (#40) is denied as moot; Gas Transmission's Motion to Dismiss (#21) is granted in part and denied in part as stated in the Findings and Recommendation; and PacifiCorp's res ipsa loquitur claim is dismissed with leave to amend as stated in the Findings and Recommendation.

DATED this 9th day of August, 2010.

/s/ Garr M. King

GARR M. KING
United States District Judge